

**REMARKS**

Claims 1-19 and 26-41 are pending in the current application. Claims 1, 6, 9 and 13 are in independent form. Claims 20-25, 42 and 43 are cancelled. In view of the above amendments and following remarks, favorable reconsideration and allowance of the present application is respectfully requested.

Initially, Applicants appreciate the Examiner's (i) acknowledgment that all certified copies pertaining to foreign priority claimed under 35 U.S.C. §119 have been received, (ii) acceptance of the formal drawings filed on September 13, 2004, and (iii) indication that the references submitted in the Information Disclosure Statements filed on September 13, 2004, December 13, 2004 and March 9, 2007 have been considered.

I. REQUEST FOR PTO FORM 892

Applicants note that page 2 of the Action discusses Nakanishi, U.S. Patent No. 6,228,898. However, the PTO Form 892 provided with the Action lists U.S. Patent No. 5,849,339 A, not U.S. Patent No. 6,228,898. Applicants submit that U.S. Patent No. 6,228,898 (filed December 14, 1998) is a divisional application of U.S. Patent No. 5,849,339 A (filed October 23, 1996).

Thus, in order to ensure that the correct information appears on the face of the patent that may issue from the present application, Applicants respectfully request that the Examiner provide a PTO Form 892 listing U.S. Patent No. 6,228,898 in the next Patent Office communication.

II. RESTRICTION REQUIREMENT

During the January 17, 2008 telephone conversation between the Examiner and Applicants' representative, Mr. Donald J. Daley (Reg. No. 34,313), the Examiner issued a Restriction Requirement requiring Applicants elect one of the following groups for prosecution on the merits:

GROUP I      including claims 1-19 and 26-41, drawn to a method; or

GROUP II      including claims 20-25 and 42-43, drawn to a mold.

Affirmation of Provisional Election

During a telephone conversation with the Examiner on January 22, 2008 in response to the restriction requirement, Applicants elected, without traverse, to prosecute Group I including claims 1-19 and 26-41. Claims 20-25, 42 and 43 to the non-elected invention are cancelled.

Applicants acknowledge the duty to amend the inventorship of the present application in compliance with 37 C.F.R. §1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application, upon the cancellation of claims to the non-elected invention. Applicants believe that no amendment to the inventorship of the application is necessary in light of the cancellation of claims 20-25, 42 and 43.

III. SPECIFICATION AMENDMENTS

By the present Amendment, the Specification has been amended to correct minor grammatical and/or typographical errors of which the Applicants are aware, as requested by the Examiner in the Action. The amendments to the specification do not introduce new matter.

IV. CLAIM OBJECTIONS

Claim 40 stands objected to as being a substantial duplicate of claim 38. By the present Amendment, claim 40 has been amended to depend from claim 9, instead of claim 6.

Claim 41 stands objected to as being a substantial duplicate of claim 39. By the present Amendment, claim 41 has been amended to depend from claim 6, instead of claim 9.

Claim 5 stands objected to because the measurement units of the cross section of the exhaust hole contains a typographical error. By the present Amendment, Applicants submit that claim 5 has been amended to recite "mm<sup>2</sup>" instead of "mm."

Thus, Applicants submit that the objections have been overcome. Withdrawal of the objections is respectfully requested.

V. DOUBLE PATENTING REJECTIONS

Claims 1, 4, 5, 12, 13, 14, 15, 28, 34 and 35 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 9 and 11 of Ozasa et al. (hereinafter "Ozasa"), U.S. Patent No. 7,332,214, in view of Andersen et al. (hereinafter "Andersen"),

U.S. Patent No. 5,783,126. Claim 19 stands rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 9 and 11 of Ozasa in view of Andersen and further in view of Okazaki et al. (hereinafter "Okazaki"), EP 0679509. Claims 6 and 32 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 9 and 11 of Ozasa in view of JP 2000-334825.

Along with the present Amendment, Applicants have filed a terminal disclaimer, which disclaims the terminal part (with some limitations) of the statutory term of any patent granted in the instant application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 7,332,214, in accordance with 37 C.F.R. §1.321(c) in order to overcome the non-statutory obviousness-type double patenting rejections.

Thus, Applicants submit that the non-statutory obviousness-type double patenting rejections have been rendered moot. Withdrawal of those rejections is respectfully requested.

#### VI. ALLOWABLE SUBJECT MATTER

Applicants thank the Examiner for the indication that claims 9-11, 31, 33, 37 and 41 are allowable and that claims 2, 3, 7, 8, 16-18, 26, 27, 29, 30 and 36-41 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed above, the pending rejection of the relevant base claim has been overcome by the filing of a terminal disclaimer. Thus, Applicants respectfully request withdrawal of the objection.

